

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**BELINDA SPINOSI,**

**Plaintiff,**

**v.**

**Civil Action 2:11-cv-00961  
Judge Algenon L. Marbley  
Magistrate Judge E.A. Preston Deavers**

**THE UNITED STATES OF AMERICA  
U.S. ATTORNEY GENERAL, *et al.*,**

**Defendants.**

**ORDER**

This matter is before the Court for consideration of the December 6, 2011 Report and Recommendation of the Magistrate Judge. (ECF No. 4.) Pursuant to an initial screen of Plaintiff's Complaint, the Magistrate Judge recommended that the Court dismiss Plaintiff's action for failure to state a claim.

The Report and Recommendation of the Magistrate Judge specifically advised the parties that failure to object to the Report and Recommendation within fourteen days results in a "waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of the District Court." (Report & Recommendation 13, ECF No. 4.) The time period for filing objections to the Report and Recommendation has expired. No party has objected to the Report and Recommendation.

The Court reviewed the Report and Recommendation of United States Magistrate Judge Elizabeth A. Preston Deavers, to whom this case was referred pursuant to 28 U.S.C. § 636(b). Noting that no objections have been filed and that the time for filing such objections has expired, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge. Accordingly,

Plaintiff's action is **DISMISSED** for failure to state a claim. The Clerk is **DIRECTED** to remove this action from the Court's pending case list.

**IT IS SO ORDERED.**

s/Algenon L. Marbley

**ALGENON L. MARBLEY**

**UNITED STATES DISTRICT COURT**

**DATED: February 3, 2012**